

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

vs.

Criminal Action No.
5:08-CR-88 (NAM)

EMANUEL RIVERA,

Defendant.

JAMES C. HOPKINS, III, ESQ., for the Government

JEFFREY DeROBERTS, ESQ., for the Defendant

ORDER APPROVING WAIVER OF APPEARANCE FOR ARRAIGNMENT

Defendant has been charged by Superseding Indictment with conspiracy to possess with intent to distribute, and to distribute marijuana in violation of 21 U.S.C. §§ 841(a)(1) and 846. Defendant and defendant's counsel, James C. Hopkins, III, Esq., have completed a written waiver of arraignment form advising the court that Emanuel Rivera wishes to waive his right to a formal arraignment on the pending Superseding Indictment, pursuant to Rule 10 of the Federal Rules of Criminal Procedure, as amended.

Based upon the defendant's voluntary representations, as confirmed by his attorney, and the understanding that Mr. Hopkins has explained the consequences of the waiver of arraignment to his client, I accept his

waiver as knowing and voluntary. Accordingly, it is hereby

ORDERED that the clerk is directed to enter a plea of not guilty to Superseding Indictment No. 5:08-CR-88 (NAM), dated May 15, 2008, on behalf of the defendant, Emanuel Rivera, such plea to be docketed as having been entered on the date of the signing of this order.

Dated: June 5, 2008

A handwritten signature in cursive script, reading "G. J. DiBianco", written in black ink.

Hon. Gustave J. DiBianco
U.S. Magistrate Judge